

No. 11 (112)-80-3 Lab/6390.—In pursuance of the provision of section 17 of the Industrial Dispute Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court Faridabad in respect of the dispute between the workman and the management of M/s Modern Engineering Company Sector-4 Ballabgarh.

BEFORE SHRI I. P CHAUDHARY, PRESIDING OFFICER, LABOUR COURT,
HARYANA, FARIDABAD

Reference No. 90 of 1979

between

SHRI JALIL AHMAD WORKMAN AND THE MANAGEMENT OF M/S MODERN,
ENGINEERING COMPANY, SECTOR-4, BALLABGARH

Present.—

Shri R. L. Sharma for the workman.

Shri G. S. Chaudhary, for the management.

AWARD

This reference No. 90 of 1979 has been referred to this Court by the Hon'ble Governor of Haryana,—vide his order No. ID/FD/124-79/158784, dated 27th December, 1979 under section 10 (i) (c) of the Industrial Disputes Act, 1947 for adjudication the dispute existing between Shri Jalil Ahmad, workman and the management of M/s Modern Engineering Company, Sector-4, Ballabgarh. The terms of the reference was:—

“Whether the termination of services of Shri Jalil Ahmad was justified and in order? If not, to what relief is he entitled?”

After receiving this reference notices were issued to both the parties and both the parties appeared before this court through their authorised representatives. On 16th April, 1980 the case was fixed for framing of the issues when the representative of the workman made a statement that he has no instructions from the workman concerned and he further stated that he is no more interested in the dispute and does not want to pursue this reference now.

As neither the workman himself nor his authorised representative in pursuing the dispute. Therefore, I give my award that there exists no dispute between the parties on the issue so referred to this court for adjudication. I thus answer the reference while returning the Award in these terms.

I. P. CHAUDHARY,

Dated 18th April, 1980.

Presiding Officer,
Labour Court, Haryana,
Faridabad.

Endst. No. 627, dated the 19th April, 1980.

Forwarded, (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

I. P. CHAUDHARY,
Presiding Officer,
Labour Court, Haryana,
Faridabad.

No. 11(112)-80-3Lab/6391.—In pursuance of the provision of section 17 of the Industrial Dispute Act, 1947 (Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workmen and the management of M/s. Perfect Fastner Private Limited, 1/43, Mathura Road, Faridabad, (D.L.F.).

BEFORE SHRI I. P. CHAUDHARY, PRESIDING OFFICER, LABOUR COURT,
HARYANA, FARIDABAD

Reference No. 42 of 1979

between

SHRI ASGAR, WORKMAN, AND THE MANAGEMENT OF M/S PERFECT FASTNER
PRIVATE LIMITED, 1/43, MATHURA ROAD, FARIDABAD (D.L.F.)

Present:—

Shri P. K. Day, for the Workman.

Shri K. P. Aggarwal, for the management.

AWARD

This reference No. 42 of 1979 has been referred to this Court by the Hon'ble Governor of Haryana,—vide his order No. ID/FD/194-79/51153, dated 3rd December, 1979, under section 10(f)(c) of the Industrial Disputes Act, 1947 for adjudication the dispute existing between Shri Asgar workman and the management of M/s. Perfect Fastner Private Limited, 1/43 D.L.F., Mathura Road, Faridabad. The terms of the reference was :—

“Whether the termination of services of Shri Asgar was justified and in order ? If not, to what relief is he entitled ?”

After receiving this reference notices were issued to both the parties and both the parties appeared before this court through their authorised representatives, and filed their pleadings. On the pleadings of the parties, the following issues were framed on 7th February, 1980.

1. Whether the dispute is covered under I. D. Act, 1947 ? If not, to what effect ?
2. Whether the termination of the services of the workman is justified and in order ? If not, to what relief is he entitled ?

No other issue was pressed by the either of the parties. Today the case was fixed for the evidence, of both the parties, when the representative of the management made a statement before this court that the workman Shri Asgar has mutually settled his dispute with the management and has filed some documents which are Ex. M1 to M3. Ex. M1 is a copy of settlement between the parties, according to this settlement, the workman had received a sum of Rs. 1,300 (Rs. one thousand and three hundred only) in full and final settlement of all his claims including his right of re-instatement or re-employment. This statement was duly agreed by the representative of the workman that the statement of the management's representative was correct and there was no dispute left between the parties.

In view of the above statement of both the parties, I give my award accordingly and held that there is now no dispute remains to be adjudicated between the parties so this award is in answer of this reference.

I. P. CHAUDHARY,

Presiding Officer,
Labour Court, Haryana,
Faridabad.

Dated, 18th April, 1980.

Endorsement No. 644, dated the 23rd, April, 1980.

Forwarded, (four copies), to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

I. P. CHAUDHARY,

Presiding Officer,
Labour Court, Haryana,
Faridabad.

No. 11(112)80-3Lab-6393.—In pursuance of the provision of section 17 of the Industrial Dispute Act, 1947 (Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad in respect of the dispute between the workmen and the management of M/s Perfect Fastners Private Limited, D.L.F. Area, Faridabad.

BEFORE SHRI I. P. CHAUDHARY, PRESIDING OFFICER, LABOUR COURT,
HARYANA, FARIDABAD

Reference No. 72 of 1979

between

SHRI KAMAL CHAUHAN, WORKMAN AND THE MANAGEMENT OF M/S PERFECT
FASTNERS PRIVATE LIMITED, D.L.F. AREA, FARIDABAD

Present.—

Shri P. K. Dey, for the workman.

Shri K. P. Aggarwal, for the management.

AWARD

This reference No. 72 of 1979 has been referred to this Court by the Hon'ble Governor of Haryana, — vide his order No. ID/FD/193-79/56862, dated 17th December, 1979 under section 10(i) (c) of the Industrial Disputes Act, 1947 for adjudication the dispute existing between Shri Kamal Chauhan workman and the management of M/s Perfect Fastners Private Limited, D.L.F. Area, Faridabad. The terms of the reference was :—

“Whether the termination of services of Shri Kamal Chauhan was justified and in order ? If not, to what relief is he entitled ?”

After receiving this reference notices were issued to both the parties and both the parties appeared before this court through their authorised representatives and filed their pleadings. On the pleadings of the parties, the following issues were framed on 26th March, 1980 :—

1. Whether there is an Industrial Disputes between the management and the workman ? If so, to what effect ? O.P.W.
2. Whether the workman has resigned of his own accord ? If so, to what effect ? OPM.
3. Whether the termination is in order or not ? If so, to what effect ?
4. Relief.

No other issues pressed by the parties. On 15th April, 1980 the case was fixed for the evidence of the parties, when the representative of the management made a statement that a settlement had been arrived at between the parties for Rs 1300 (Rs One Thousand and three hundred only) as full and final settlement. Copy of this settlement is Ex. M. 1 duly signed by Shri Kamal Chauhan, workman and the representative of the management of 27th March, 1980 was produced. This statement was duly agreed by the representative of the workman that the statement of the management's representative was correct and there was no dispute left between the parties. The claim/reference had been settled fully and finally, The workman had also for gone his right of re-instatement or re-employment.

I thus relying on the statement of Shri P. K. Dey hold that the demand raised by the workman against the management leading to this reference has been duly satisfied. There is now no dispute remains to be adjudicated between the parties. In these circumstances, I answer this reference while returning the award in these terms.

Dated 18th April, 1980.

I. P. CHAUDHARY,
Presiding Officer,
Labour Court, Haryana,
Faridabad

Endorsement No. 641, dated 23rd April, 1980.

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes, Act, 1947.

I. P. CHAUDHRY,
Presiding Officer,
Labour Court, Haryana,
Faridabad.

The 1st May, 1980

No. 11(112)-80-3 Lab/6570.—In pursuance of the provision of section-17 of the Industrial Dispute Act, 1947 (Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad in respect of the dispute between the workmen and the management of M/s packs India, Plot No. 85 Sector 24 Faridabad.

BEFORE SHRI I. P. CHADHARY, PRESIDING OFFICER, LABOUR COURT,
HARYANA FARIDABAD

Reference No. 9 of 1980

between

SHRIMATI MALTI DEVI WORKMAN AND THE MANAGEMENT OF M/S PACKS INDIA,
PLOT NO. 85, SECTOR 24, FARIDABAD.

Present.

Smt. Malti Devi workman in person.

None for the management.

AWARD

This reference No. 9 of 1980 has been referred to this Court by the Hon'ble Governor of Haryana,—vide his order No. ID/FD/81-79/928 dated 9th January, 1980 under section 10(1)(c) of the Industrial Disputes Act, 1947 for adjudication of the dispute existing between Smt. Malti Devi workman and the management of M/s packs India, plot No. 85, Sector 24, Faridabad. The terms of the reference was:—

“Whether the termination of services of Smt. Malti Devi was justified and in order? If not, to what relief is she entitled?”

After receiving this reference notices were issued to both the parties. Smt. Malti Devi appeared before this Court. On the other hand no one was present on behalf of the management. The management refused to take the notice and the notice was affixed on the wall in the presence of a witness. On 26th February, 1980 no one was present on behalf of the management and it was ordered by me that ex parte proceedings be held against the management and the case was fixed for the ex parte evidence of the workman for 26th March, 1980.

On 26th March, 1980 the workman appeared before this court as M.W.I. She stated that she had been working for the last two years of the respondent company and her wages were Rs. 120 P. M. She started negotiation with the management for raising her wages to the minimum prescribed limit of the Government on this the management of the factory got annoyed and without any notice or chargesheeting her, turned her out and terminated her service on 25th October, 1979 she stated that her service record was quite satisfactory and the management had no complaint regarding her service. She further stated that she was unemployed since her termination.

The workman produced one more witness in this court as WW2. Namely Daya Shankar who also stated that he worked in that concerned for the last three years. He further stated that he knew Smt. Malti Devi, who was also working with the said management before her termination. She used to go to the factory gate but the respondent did not take her on duty. After this the workman closed her evidence.

Keeping in view the circumstances of this case, I see no reason why the statement given on oath by the workman should not be relied upon specially when the management chose not to appear and defend this reference before this court. So I thus relying upon the statements of WW1 and WW2 hold that termination of the services of Smt. Malti Devi was unjustified and was also not in order. She is entitled, to be reinstated with full back wages with costs. This is an answer of my above reference.

I. P. CHAUDHARY,

Dated 22nd April, 1980

Presiding Officer,
Labour Court, Haryana,
Faridabad.

Endorsment No. 743 dated 28th April, 1980

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

I. P. CHAUDHARY,

Dated 29th April, 1980

Presiding Officer,
Labour Court, Haryana
Faridabad.

H. L. GUGNANI,
Secretary to Government, Haryana,
Labour and Employment Department.

PUBLIC WORKS DEPARTMENT

BUILDINGS AND ROADS BRANCH

The 2nd May, 1980

No S. E./P. W. D./B. & R. Chandigarh/I.—Whereas it appears to the Governor of Haryana that land is likely to be needed by the Government at public expenses, for a public purpose constructing a link road from New Haryana State Highway to village Jaswantgarh in Tehsil Naraingarh District Ambala it is hereby notified that the land described in the specification below is required for the above purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894, to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested in the above land, who has any objection to the acquisition thereof may within thirty days after the date of which public notice of the substance of this notification, is given in the locality, file an objection in writing before the Land Acquisition Collector, Public Works Department, Buildings and Roads Branch, Ambala Cantt.

SPECIFICATIONS

District	Tehsil	Locality/ Village	Hadbast No.	Area in acres	Khasra No.									
Ambala	Naraingarh	Billa	237	1.62	69									
					70									
					<div>24, 25</div> <div>2</div> <div>14, 1</div> <div>14, 2</div> <div>16, 1</div> <div>16, 2</div> <div>17, 1</div> <div>17, 2</div>									
					70									
					<div>21, 22, 24, 25</div> <div>1, 2, 1, 2, 3, 1, 2</div>									
					70									
					<div>23, 23, 21</div> <div>1, 2, 3</div>									
					73									
					<div>1, 1, 1, 2, 2, 3, 3, 4, 4</div> <div>1, 3, 4, 1, 2, 1, 2, 1, 2</div> <div>160</div>									
					74									
<div>4, 5</div> <div>3, 2</div>														
Ambala	Do	Jaswantgarh	239	1.11	33, 34, 35									
					<div>21, 26, 25, 5, 5, 5, 6, 6</div> <div>1, 1, 2, 3, 1, 2, 7,</div>									
					35									
					<div>14, 14</div> <div>1, 2, 15, 16, 26, 42, 45,</div>									
					Total 2.73									

(Sd.)

Superintendent Engineer,
Chandigarh Circle, P.W.D., B.&R. Branch,
Chandigarh.